



# STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

*Kenny C. Guinn, Governor*

*Allen Biaggi, Director*

*Leo M. Drozdoff, P.E., Administrator*

## Notice of Proposed Action

**Web Posting Date: April 07, 2006**

The Administrator of the Division of Environmental Protection gives notice that an application for renewal of a Water Pollution Control Permit for the **Fortitude/Reona (Phoenix) Project**, a mining and beneficiation facility, has been properly filed with the Division of Environmental Protection in Carson City. The applicant for renewal of Water Pollution Control Permit NEV0087061 is:

**Battle Mountain Gold Company**  
**(Newmont Mining Corporation - Operator)**  
**P.O. Box 1657**  
**Battle Mountain, Nevada 89820-1657**

The facility is located on public and private land in Lander County, within Sections 15, 16, 20, 21, 22, 23, 26, 27, 28, 29, 32, 33, and 34, Township 31 North, Range 43 East; Sections 2, 3, 4, 5, 8, 9, 10, and 21, T30N, R43E; and Sections 20, 21, 28, 29, 30, 31, 32, and 33, T32N, R44E, Mount Diablo Baseline and Meridian, between 5.5 and 13 miles south of the town of Battle Mountain.

The project consists of open pit mines, beneficiation facilities comprised of a conventional heap leach pad with carbon adsorption columns for precious metal recovery and a 35,000 ton-per-day mill with separate gravity, flotation, and cyanide leach circuits for processing gold and copper ores, a lined tailings storage facility, lined process ponds, waste rock storage facilities, surface and groundwater monitoring systems, stormwater control systems, administration buildings, and mechanical shops to support a maximum permitted processing rate of 20,000,000 tons of ore per year. Facilities are required to be designed, constructed, operated and closed without any discharge or release in excess of those standards established in regulation except for meteorological events which exceed the design storm event. It is estimated the facility will disturb approximately 7,000 acres of public and private land.

The Administrator is constrained to either issue the renewal Water Pollution Control Permit or to deny the application. The Administrator has made the tentative decision to issue the renewal permit.

Persons wishing to comment upon the proposed Water Pollution Control Permit, to recommend terms and conditions for consideration of incorporation into the permit, or who request a public hearing pursuant to Nevada Administrative Code, NAC Chapter 445A, must submit their written comments, objections, or requests no later than 5:00 PM on the 30<sup>th</sup> day following the date of publication of this notice to:

Division of Environmental Protection  
Bureau of Mining Regulation and Reclamation  
901 South Stewart Street, Suite 4001  
Carson City, Nevada 89701-5249

All comments or objections received during the public notice period will be considered in the final determination regarding this Water Pollution Control Permit. If the Division determines written comments or requests indicate a significant degree of public interest in this matter, the Administrator shall schedule a public hearing in accordance with the requirements of NAC 445A.405.

The draft Water Pollution Control Permit and all application documents are on file at the Division and are available for public inspection and copying pursuant to NRS 445A.665. For more information, contact Miles Shaw on (775) 687-9409 or visit our website at <http://ndep.nv.gov/bmrr/bmrr01.html>